IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

Writ Petition No.3001 of 2007

(Court on its Own Motion v. Union of India, through Ministry of Defence and others)

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Office Notes, Memoranda of Coram, appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

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Shri N.P. Dhote, Advocate for Petitioner.
Shri S.K. Mishra, Asstt.Solicitor General for R- 1 and 6.
Smt. B.H. Dangre, Addl.GP for R- 2 and 3.
Shri C.S. Kaptan, Advocate for R- 5.

CORAM : A.H. Joshi & R.C. Chavan, JJ.
DATE : 28th September, 2007

1. This petition was entertained primarily to ensure securing consent for allotment of land for the purpose of flyover, since the flyover overlapped a strip of land in possession of the Defence.

2. The Union of India, through Ministry of Defence, has already given its no objection for construction of the flyover and the process of allotment is half-way-through. This Court had kept this petition pending so that the respondents resolve the problems relating to transfer and exchange of the land, as required by the Defence. We find that it is not necessary to monitor further activities, since the Departments *inter se* will have to take the decision and that there cannot be any dispute over this matter.

3. We, therefore, dispose of this petition by directing the parties

to transfer and exchange the land within six months.

JUDGE JUDGE

pdl